

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States District Court
Southern District of Texas
FILED

APR 26 2020

David J. Bradley, Clerk

United States of America

v.

Edgar Ivan Ortiz (1995/US)

Case No. 11-20-0908-LADefendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 25, 2020 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 USC § 952	Illegal Importation of a Controlled Substance / Approximately 23.46 Kilograms of Methamphetamine, a Schedule II Controlled Substance and approximately 54.88 Kilograms of Heroin, a Schedule I Controlled Substance.
21 USC § 963	Conspiracy to Illegally Import a Controlled Substance / Approximately 23.46 Kilograms of Methamphetamine, a Schedule II Controlled Substance and approximately 54.88 Kilograms of Heroin, a Schedule I Controlled Substance.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Complaint authorized by: AUSA Angel Castro.

Submitted by reliable electronic means, sworn to
and attested to telephonically per Fed. R. Cr. 4.1,
and probable cause found on:Date: April 26, 2020 6:45 p.m.City and state: McAllen, Texas/s/ Juan M. Varela Jr*Complainant's signature*Juan M. Varela Jr, HSI Special Agent*Printed name and title*Pete E Ormsby*Judge's signature*U.S. Magistrate Judge Peter E. Ormsby*Printed name and title*

Attachment "A"

I, Juan Varela, am a Special Agent of the United States Homeland Security Investigations (HSI) and have knowledge of the following facts. The facts related in this attachment do not reflect the totality of information known to me or other agents/officers, merely the amount needed to establish probable cause. I do not rely upon facts not set forth herein in reaching my conclusion that a complaint should be issued, nor do I request that this Court rely upon any facts not set forth herein in reviewing this attachment in support of the complaint.

1. On April 25, 2020, Homeland Security Investigations in McAllen, Texas, (HSI McAllen) received a request for investigative assistance from the U.S. Customs and Border Protection Office of Field Operations at the Hidalgo Port of Entry (POE) in Hidalgo, Texas. CBP Officers (CBPOs) detained Edgar Ivan Ortiz (hereafter ORTIZ), a citizen of the United States, while attempting to enter the U.S. with approximately 23.46 kilograms of methamphetamine and 54.88 kilograms of heroin concealed within the four (4) tires of the vehicle he was driving.
2. During primary inbound inspection, CBPOs obtained a negative oral declaration for fruits, food, alcohol, tobacco, drugs, weapons and currency over \$10,000.00. ORTIZ claimed to be going from Reynosa, Tamaulipas, Mexico to McAllen, Texas to work. CBPOs referred ORTIZ and the vehicle to secondary inspection for an intensive examination due to a computer-generated referral.
3. CBPOs conducted a non-intrusive X-Ray inspection and discovered anomalies in all four (4) tires of the vehicle.
4. A physical search of the vehicle revealed a total of 23 packages concealed within the tires. CBPOs field tested the substances inside the packages, some with a presumptive positive result for the characteristics of methamphetamine and some with a presumptive positive result for the characteristics of heroin. CBPOs weighed the packages containing suspected methamphetamine, which weighed approximately 23.46 kilograms on a calibrated scale. CBPOs weighed the packages containing suspected heroin, which weighed approximately 54.88 kilograms on a calibrated scale.
5. HSI Special Agents responded to the Hidalgo POE to assist in the investigation. HSI Special Agents interviewed ORTIZ, who stated he knew he was transporting a controlled substance which he thought to be cocaine. ORTIZ stated he was paid \$400.00 by an unknown person in Mexico for the smuggling event.